



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2304084
Applicant Name: Andy Clinch, Architect for Donald Olsen
Address of Proposal: 4915 25th Avenue N.E.

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of a three-story structure containing 59,000 square feet of office use. Parking to be provided on a two-level, below-grade garage for 104 vehicles.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC

Design Review – Chapter 23.41 SMC -

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

* Early DNS Notice published December 24, 2003

BACKGROUND DATA

Site and Area Description

The project site lies within a cluster of commercial and multi-family residential uses between 25th Avenue Northeast and Northeast Blakely Street. Vehicular and pedestrian access occurs along a 30

foot easement that extends 115 feet from 25th Ave. N.E. An irregular shaped parcel, the site's western property line curves to mimic the NE Blakely Street right-of-way. Zoned Commercial One (C1 40) with a forty foot height limit, the site slopes a total of four feet over approximately 180 linear feet. Due to the lack of street frontage, the site's presence on 25th Ave. N.E. is minimal. Views into the site from 25th Ave. N.E. occur from angles between buildings and across parking lots. A vacant Shell station lies directly between the site and 25th Ave. N.E. From NE Blakeley St., a fence between two multi-family buildings blocks a view into the site.



The 25th Avenue N.E. corridor extending from N.E. Blakely Street to N.E. 45th Street lies between University Village to the east and a residential community uphill to the west. The western half of the commercial corridor sits between 25th Ave. N.E. and N.E. Blakely St. / the Burke Gilman Trail and comprises a mix of apartment and office buildings as well as a motel and a recently vacated Shell station. Two residential buildings to the west are oriented to N.E. Blakely St. The Shell Station immediately to the east, a two-story retail/office building to the north and the Washington Mutual bank to the east all face 25th Ave. N.E. The entire area with the notable exception of the Burke Gilman Trail

is auto oriented with parking lots covering most of the space between buildings. Across 25th Ave. N.E., land uses remain mixed with University of Washington student housing, and commercial uses represented by a Silver Cloud Inn, a Jiffy Lube and an Office Depot. University Village lies to the south and east of these buildings. The area projects the image of a suburban commercial strip with its large signs, extensive parking lots and auto service functions. The recently constructed student housing proves the exception as the complex is built close to the right-of-way and possesses a vertical massing unlike the surrounding buildings.

The city zoning designation for the area immediately surrounding the site is Commercial One with a forty foot height limit (C1 40). This includes the Blakeley Manor apartments facing N.E. Blakely St. The condominium building directly to the west is zoned Neighborhood Commercial Two (NC2 40) with a 40' height limit. Farther to the south, the zone designation changes to Lowrise Four (L4). To the north across N.E. Blakely St. zoning is Lowrise Three (L3) and NC2 30. On the east side of 25th Ave. N.E., Commercial One with 40 and 60 foot height limits comprises the Silver Cloud Inn and the University Village shopping center respectively. University of Washington housing lies within a Major Institutional Overlay (MIO 50/ C1 40) with a fifty foot height limit.

The commercial and multi-family strip along 25th Ave. N.E. sits at the foot of a slope that ascends from N.E. Blakely Street and Ravenna Avenue N.E. to the west. From certain vantage points on the site, Lake Washington and Mt. Rainier are visible.

Proposal Description

The applicant proposes to build a three-story building to replace a two-story office structure destroyed by a fire in December 2002. The entire 59,000 square feet structure will house office space. A two

level, below-grade garage will contain 104 parking spaces. The office building represents the first phase of a two building complex. The second phase, containing retail and office uses, will occupy the site of the vacant Shell Station immediately to the east of the subject site. Once phase two is completed the complex will have a single, vehicular entrance and share an expanded below-grade garage. Planning for the second phase began after the early design guidance and MUP process for the first phase was initiated.

Public Comments

Meeting. Approximately 23 people attended the SEPA comment meeting on June 23, 2004. Questions, concerns and comments raised by the public at the meeting are outlined below.

Noise;

- Noise generated by vehicles, trucks, HVAC, garbage collection.
- Relationship of buildings enhances or magnifies noise behind Blakeley Manor. Noise disturbs the residents.

Flooding;

- Blakeley Manor floods after hard rains. Flood gates have been installed. New buildings could create worse problems.
- Storm sewer is not large enough.

Water Quality and Water Table;

- Groundwater may be contaminated from former service station on 25th Ave. NE.
- Settlement cracks are found in floors of Blakeley Manor and on sidewalks.

Height, Bulk and Scale;

- Phase I and II buildings will block sunlight and moonlight.

Soils;

- Oil from the service station on the adjacent site may have contaminated the soils.

Construction;

- Blakeley Manor shook when adjacent office building was demolished. This disturbed residents.
- How long will construction be?

Parking;

- Don't charge parking fees for the garage. Not enough parking is available in the area.
- Request for mitigation of parking problems.

Traffic;

- Traffic study does not address growth at University Village and impact on neighborhood.
- Request for a no right turn on red sign to prevent turns on to 25th Avenue NE from NE Blakeley St. Residents and other elderly are endangered by turning vehicles.
- Accident rate is increasing.
- Traffic study ignores Saturday football traffic bottlenecks and closure of streets.

- Traffic study outdated.
- Traffic study did not take into account new U.W. student housing across NE 25th St. and new construction at U.W.
- Buses don't go downtown.
- Construction trucks will create traffic problems.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

Public Comments

Nine members of the community attended the first Early Design Guidance meeting. Their comments focused on pedestrian access, open space, and the location of rooftop equipment. The potential bulk of the building was also raised by the public. A monolithic appearing structure was discouraged in favor of a design that respected the adjacent residential uses.

Seven members of the community attended the second Early Design Guidance meeting. Several comments addressed the distance between the proposed building and the condominiums behind it. Other comments focused on the lack of parking in the area, exhaust from the parking garage on residents nearby, and the appropriateness of providing access to the Burke Gilman Trail. The latter issue raised security concerns for one of the business owners in the neighborhood.

The City received approximately 28 letters addressing the proposal. The following outlines the major concerns:

- Don't burden project with delays and demands that raise the cost of office space in the area.
- Project is a very reasonable, attractive and the "highest and best" use of the land.
- Preserve views for the condo owners of U. Village, Mt. Rainier and the Cascades.
- Reduce the congestion of buildings near the southwest corner of the site by pulling the building away from the condo and the glass office building.
- Both proposals will exacerbate parking and traffic problems.
- Provide plazas, courtyards and gardens to reduce visual impact on neighboring properties.
- Screen lighting impacts on neighbors.
- Screen dumpsters, utilities and other service areas.
- Ensure that there is adequate emergency vehicle access.
- Reduce the height, bulk and scale.
- Add more open space between the condo and the proposed structure.
- Don't plant large trees in the site's southwest corner as these will block views.
- Preserve the privacy and light currently afforded the residential units behind the proposal.
- Do not link the site to the Burke-Gilman Trail.
- Provide a gate through the SHA parking lot to provide access to the Burke-Gilman Trail.
- Use reflective exterior building materials to brighten up adjacent structures.
- Construction will create a narrow passage between buildings causing noise and producing uncomfortable wind drafts.
- Terrace the building to open up views for the neighbors.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The project proponents presented their initial ideas at an Early Design Guidance meeting on August 18, 2003. A second Early Design Guidance Meeting was held September 8, 2003. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members identified the following Citywide Design Guidelines as high priorities to be considered in the final proposed design. The meeting notes from the first Early Design Guidance Meeting (August 18, 2003) are in italics.

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features

The Board strongly encouraged the architect to pull a portion of the building back away from the adjacent condominiums. In concept, the building mass is a composition of linear forms echoing the narrower structures along NE Blakely St., the former railroad right-of-way (the Burke Gilman Trail) and the University of Washington student housing on the east side of 25th Avenue NE. Staggering or sliding the linear elements in a fan-like composition and removing the western most mass of the building reinforce the basic parti.

The Board requested that the architect rethink the south elevation roof form. For the next meeting, the architect should bring graphical evidence of studies showing the logic of the roof design vis-a-vis lighting, mass and relationship to the adjacent buildings. For the most part, the Board liked the clerestory concept.

The building's form should respond to its context. By conveying the site's angular configuration and the volumetric relationship of the surrounding buildings, the design should provide clarity to the built area around the site. Sensitive massing and landscaping should reinforce the relationship created among the adjacent buildings and the new one.

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The Board continued to emphasize the need for a higher level of landscaping along the easement. The path or sidewalk should be shifted to the south in order to prevent the pedestrians from crossing over the driveway to enter into the plaza.

The 115' long vehicular and pedestrian access from 25th Ave. N.E. should have green landscaping even if the applicant has to work out an agreement with the Shell gas station abutting the easement.

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

The easement from 25th Avenue NE should have a visual termination. Following the logic of the staggered linear elements described in A-1, a portion of the building mass should be extended toward the south to provide an end point or visual terminus to the axis and along the entrance drive. An entry plaza could be created in this area.

Vehicular and pedestrian access (pathways) should connect this fairly isolated site to the Burke Gilman Trail and to the 25th Ave. NE both visually and functionally.

The site design should create good visual access to and functional pedestrian and bicycle access to and from both the Burke-Gilman Trail and 25th Ave. N.E. Easements with neighboring properties may be necessary. The applicant should explore providing a pedestrian easement with Seattle Housing Authority to provide access to the trail. Good signage should be developed for the entry access on the existing easement and any future easement.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The plan and the model displayed at the meeting showed an awkward relationship among the proposed project, the condominium and the office building to the south. The southwest corner of the proposed building should be cut back away from the adjacent condominium.

A-6 Transition Between Residence and the Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

The southwest area of the site should have open space.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The Board liked the vehicular approach into the building. The entrance into the garage cannot be seen from 25th Ave .N.E.

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

Both the architect and the Board agreed that all of the elevations were significant. The Board requested that the four elevations and roof plan be presented at the Recommendation Meeting.

This building must be well designed on all four sides since it will be visually prominent from 360 degrees. Create a building that relates well to all the surrounding structures and gives more coherence to the assemblage of buildings around it.

The design should recognize that the upper portions of the building will be visible from surrounding areas. Design a well proportioned upper building design with a lighter top. The design should show alternatives such as an open steel and glass top.

The building ought to be setback from the adjacent housing in the less intensive NC2 zone, creating a transition in height, bulk and scale.

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The parking garage will be partially below grade and encompassing most of the first fourteen feet above grade. The interface of the parking garage and the pedestrian environment around the building will need to be designed with care. Mitigating light levels on adjacent properties is one goal; the creation of an attractive plaza and landscaped areas unhindered by the garage is another design objective. The architects should consider issues of defensible space when designing the above-grade, garage walls.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

At the next meeting, the architect will convey the selection of materials by bringing materials sample board and providing color renderings of the elevations.

Given the eclectic nature of the area, a contemporary building with a creative use of materials would work well on the site.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The Board members expressed their satisfaction with the placement of the garage entrance.

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather.

Considerable discussion focused on whether access should be provided to the Burke Gilman Trail. Access through the Seattle Housing Authority site to the west would allow office workers an opportunity to quickly enter onto the trail. If the University of Washington reoccupies the site, access

from the trail would allow employees and students who use the trail greater access to the building. Before the next Design Review meeting, the applicant will need to engage in discussion with SHA about the opportunity of creating a gate and an easement to allow access to the trail.

Provisions should be included in the design to allow access from the bicycle parking area in the garage directly to the exterior of the building, preferably near the gate and the potential easement connection to the Burke Gilman Trail.

The Board asked that the sidewalk extending along the easement from 25th Ave. N.E. to the building be shifted to the south to prevent pedestrians from crossing over the driveway.

D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

The architectural treatment of the fourteen foot exterior walls of the parking garage is critical as it will wrap around most of the structure. Design the lower portion of the building to create active exterior spaces and to maintain security.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

The Board liked the strategy of placing the rooftop features into a raised spine. This architectural solution emphasizes the idea of breaking the mass into linear components.

The Board suggested that the rooftop features (stair and elevator penthouses, HVAC) should be well integrated. Neighboring buildings as well as other residential buildings on the slope will look down upon the roof.

D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.

The applicant did not provide a conceptual lighting scheme for the second Early Design Guidance meeting. The applicant should produce such a lighting plan for the Recommendation Meeting. This will assist the public and the Board in understanding how proposed exterior and interior lighting may impact the occupants of the neighboring buildings and enhance security.

A conceptual lighting scheme should be produced for the next meeting.

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The project's landscaping strategy should foremost provide coherence to the surrounding area. The landscape plan should create a soft, natural looking variegated edge along the property lines.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

The Board asked for more revealing and illustrative graphic studies of the plaza. What will the plaza look like? How will it assist circulation? What are the landscape materials to be used? Who will use the plaza? How does it respond to the site's conditions?

The Board encourages the development team to study the landscape techniques used at University Village. Landscape materials have been judiciously used to differentiate vehicular and pedestrian areas.

E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on October 20, 2003.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on February 23, 2004 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meeting, site plans, elevations, floor plans, landscaping plans and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

Eleven community members attended the Final Recommendation meeting. The majority of comments and questions focused on the proposed building's bulk and its potential blockage of views from the condominium building behind it. Other comments addressed colors of finishes (preference for lighter colors); impacts of lighting on the residential neighbors; location of the dumpsters; ability of fire trucks to

obtain access behind the building; acoustics; and exhaust ventilation from the garage. Favorable comments focused on the decision to place the garage parking below-grade.

Development Standard Departures

The applicant did not request departures from the Land Use Code.

Recommendations

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features

The Board recommended that the southwest corner of the building be pulled back away from the adjacent condominiums and office building. The Board found the proposed building's relationship with its neighbors crowded and unrelieved. The Board recommended that the proposed building be pulled back far enough to allow "a slot of light" to travel along a line tangent to the adjacent office building's northeast corner to the condominium's northeast corner.

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The Board had no additional comments.

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

The Board had no further comments on the view of the building from the easement.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The close proximity of the proposed building to the condominium building to the west remained problematic. The Board recommended that the building's southwest corner be reconfigured to respect the privacy of the residents of the adjacent building whose living areas face the west wall of the proposed structure.

A-6 Transition Between Residence and the Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

The Board did not introduce additional comments or recommendations.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

No additional comments were provided.

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

A change in zones occurs from the subject property (C1-40) to a less intensive zone occupied by the adjacent condominium building (NC2-40). The proposed siting of the building creates an awkward relationship between the two structures. The Board recommends a reconfiguration of the building to reduce its bulk and provide a sense of spatial openness between the structures. The condominiums at the northeast corner should have a greater sense of openness and light than the current proposal allows. See A-1 and A-5.

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The applicant revised the parking garage to be entirely below grade. The Board endorsed this change.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The Board supported the use and type of materials the architect presented at the meeting. The Board recommended that the aluminum spine have a more pronounced presence at the plaza. The amount of glazing undermines the strong statement made by the service spine.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The Board had no more comments.

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather.

See E-1.

D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

By lowering the parking garage to below-grade, the applicant reduced the possibility of blank walls. The Board accepted the revision without comment.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

No additional comments were made.

D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.

No additional comments were made.

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The Board recommended that revisions to the plaza provide more pedestrian friendly elements. The plaza will be enhanced by the Phase II companion project directly to the east on the Shell station site.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

See E-1.

E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

No additional comments were made.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the February 23, 2004 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the February 23rd public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans

and renderings, the three Design Review Board members present recommended approval of the subject design.

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

1. Reconfigure or push back the southwest corner of the proposed structure to provide a “slot of light” to travel along a line tangent to the adjacent office building’s northeast corner to the condominiums northeast corner. (A-1, A-5, B-1)
2. Use metal materials and detailing to preserve the central spine’s integrity and presence on the plaza. (C-4)
3. Provide more pedestrian friendly enhancements to the plaza. (E-1)

DIRECTOR’S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant’s agent (dated October 17, 2003) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such limitations/circumstances (SMC 25.05.665D1-7) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small

increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, streets and parking impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M.:

- A. Surveying and layout.
- B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
- C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protection, water dams and heating equipment.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M. and 6:00 P.M.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction timeframe if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the adjacent residential building.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

An excavation to construct the lower level of the structure areas will be necessary. The maximum depth of the excavation is approximately 20 feet and will consist of approximately 18,500 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Traffic and Parking

Construction of the project is proposed to last approximately 12 months. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require 1,850 round trips with 10-yard hauling trucks or 925 round trips with 20-yard hauling trucks. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near several major arterials and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along 25th Ave. NE. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, construction workers will be required to park in the garage as soon as it is constructed for the duration of construction. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; potential loss of plant and animal habitat; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, traffic and parking impacts warrant further analysis.

Traffic and Transportation

The traffic consultant reviewed both phases of the two building complex in a single document. Because of the timing, Phase Two is a separate MUP application. Phase I is expected to generate 88 new PM peak hour trips. No noticeable impacts from the proposed project were identified at any of the study intersections in the analysis and all intersections would operate at LOS D or better with the full build out

of both phases. The project was also found to pass concurrency based on the methodology identified in the City of Seattle Director's Rule 4-99. No off-site mitigation is recommended at any of the study area intersections.

Parking

A parking demand analysis for the project was conducted by the Transpo Group. Basing its analysis on ITE *Parking Generation* rates and applying a mode split adjustment from the Puget Sound Regional Council's regional transportation model, the consultant's study shows that the 104 spaces would not meet the 106-space parking demand. If Phase I is built by itself, DPD will require a Transportation Management Plan (TMP) to mitigate potential spill-over parking impacts. The maximum single-occupant vehicle (SOV) goal should be 65 percent. DPD recommends that the TMP be required to be finished and recorded prior to issuance of the building permit.

If built, Phase II would add 95 parking spaces to a demand of 53 spaces providing an ample parking supply. Phase II of the project would include an attached parking garage to Phase I creating a total of 199 total parking spaces. With full buildout, there would be a surplus of approximately 40 parking spaces. If Phase II is constructed by the time Phase I is opened, the TMP requirement is not necessary as the two phases together will provide sufficient parking to meet peak demand.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS-DESIGN REVIEW

Prior to Issuance of a Master Use Permit

Update plans according to the following conditions:

1. Reconfigure or push back the southwest corner of the proposed structure to provide a “slot of light” to travel along a line tangent to the adjacent office building’s northeast corner to the condominiums northeast corner.
2. Use metal materials and detailing to preserve the central spine’s integrity and presence on the plaza.
3. Provide more pedestrian friendly enhancements to the plaza.

Non-Appealable Conditions

4. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner (Bruce P. Rips, 615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
5. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 615-1392), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
6. Embed the MUP conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

CONDITIONS-SEPA

Prior to Issuance of a Demolition, Grading, or Building Permit

7. Completion of a Transportation Management Plan (TMP) will be required prior to the issuance of a building permit. The TMP will include incentives intended to reduce employee SOV travel to attain a single-occupant vehicle goal of 65 percent. The TMP will be filed in the form of a recorded document at King County, and be written in the form of a TMP Acknowledgement Letter, as prescribed by the City of Seattle requirements.
8. Submit a Construction Traffic Management Plan to be reviewed and approved by SDOT and DPD. The plan shall, at a minimum, identify truck access to and from the site, pedestrian accommodations, sidewalk closures. Large trucks (greater than two-axle) shall be prohibited from entering or exiting the site after 3:30 p.m.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued

along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

9. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 5:00 P.M.:

- A. Surveying and layout.
- B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
- C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

10. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M.

Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DPD prior to each occurrence.

Once the foundation work is completed and the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance and is not subject to the additional noise mitigating conditions.

11. Construction workers shall park in the on-site garage as soon as it is constructed, following approval from the DPD Building Inspector.

12. Implement the elements of the approved Construction Traffic Management.

Signature: _____ (signature on file) Date: July 22, 2004

Bruce P. Rips, AICP, Project Planner
Department of Planning and Development
Land Use Services

BPR:bg

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